

OFFICIAL

Confidentiality Note:

The information contained in this facsimile message is confidential and its contents are intended to be legally privileged information solely for the use of the addressee. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, copying or other use of this message and its contents is strictly prohibited. If you have received this facsimile in error, please notify us immediately by telephone and return the original message to us at the address shown below via air courier service, the United States Postal Service or your national postal service (air mail). Thank You.

ALSTON & BIRD LLP

3201 Beechleaf Court, Suite 600
Raleigh, NC 27604-1062

919-862-2200
Fax: 919-862-2260

RECEIVED
CENTRAL FAX CENTER

JAN 21 2004

TELECOPY**PLEASE DELIVER AS SOON AS POSSIBLE**

DATE: January 21, 2004

TO: TC 1600**FROM: Kelly J. Williamson**
Patent AgentIn re: Baszczynski *et al.*

Appl. No.: 09/579,784

Filed: 5/26/00

For: TARGETED MANIPULATION OF GENES IN PLANTS

Confirmation No.: 9894

Group Art Unit: 1635

Examiner: Zara

Attachments

Interview Summary (2 pages)

NO. OF PAGES: 3
(Including cover page)**OPERATOR:****IF NOT RECEIVED PROPERLY, PLEASE NOTIFY ME IMMEDIATELY AT (919) 862-2200**

USER CODE: LAKE Lock P

FAX NUMBER: 703-872-9306

CLIENT/MATTER: 035718/199392

REQUESTED BY: Pam Lockley

VOICE NUMBER:

Attorney's Docket No. 035718/199392 (5718-23B)PATENT**RESPONSE UNDER 37 C.F.R. 1.116 - EXPEDITED
PROCEDURE - EXAMINING GROUP 1635****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re:	Baszczynski <i>et al.</i>	Confirmation No.:	9894
Appl. No.:	09/579,784	Group Art Unit:	1635
Filed:	5/26/00	Examiner:	Zara
For:	TARGETED MANIPULATION OF GENES IN PLANTS		

January 21, 2004

BOX AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INTERVIEW SUMMARY

Sir:

A telephonic interview in the above-referenced matter occurred on January 20, 2004 between Examiner Zara and Examiner Nelson and Applicant's representatives, Kelly J. Williamson and Leslie Henry. Applicants provide below a summary of the interview.

The Amendment and Response filed on December 23, 2003 was discussed. Agreement was reached that the finality of the September 23, 2003 Office Action would be withdrawn, and a new Office Action would issue shortly for this matter. An agreement was reached that to maintain the enablement rejection, the Examiner will provide evidence regarding the unpredictability in the art. No agreement was reached regarding the rejection under §112, 2nd paragraph, or the rejection under §112, first paragraph, regarding written description.

RTA01/2148719v1

In re: Baszczynski *et al.*
Appl. No. 09/579,784
Filed: 5/26/00
Page 2

The Examiner is respectfully requested to enter this Interview Summary into the above-referenced application.

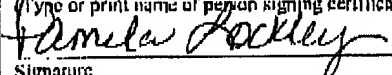
It is not believed that extensions of time or fees for net addition of claims are required, beyond those, which may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



Kelly J. Williamson
Patent Agent
Registration No. 47,179

CUSTOMER NO. 29122
ALSTON & BIRD LLP
Bank of America Plaza
101 South Tryon Street, Suite 4000
Charlotte, NC 28280-4000
Tel Raleigh Office (919) 862-2200
Fax Raleigh Office (919) 862-2260

<p>CERTIFICATION OF FACSIMILE TRANSMISSION</p> <p>I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office at Fax No. 703-872-9306 on the date shown below.</p> <p>Pamela Lockley (Type or print name of person signing certification.)</p> <p> Signature</p> <p>January 21, 2004 Date</p>	<p>CERTIFICATE OF MAILING</p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on January 21, 2004.</p> <p>_____</p>
--	--